



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 50
Comm #: 54639-8601-24-A
BRRTS #: 02-63-169711
Site Name: Olson Oil Co Bulk Plant
Site Address: 524 W Main St, La Farge, 54639
Site Manager: Mae Willkom
Address: 1300 W Clairemont Ave
City, State Zip: Eau Claire, WI 54702-4001
Phone: 715-839-3748
e-mail: mae.willkom@wisconsin.gov
Bid Manager: Gena M. Larson
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-5404
e-mail: Gena.Larson@Wisconsin.Gov

Bid-Start Date:	July 30, 2007
Questions must be received by (See Section 2 (B)):	August 13, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	August 31, 2007
Bid-End Date and Time:	September 14, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703
Phone: (715) 836-0049 Fax: (715) 836-7704

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site operated as a bulk petroleum storage and distribution facility since the early 1950s. Five ASTs containing unleaded gasoline, diesel, and fuel oil were removed in September, 2000. Soils encountered during the site investigation consisted of clayey silt to silty sand. Depth to groundwater is approximately 10 feet, and groundwater flow is consistently toward the Kickapoo River, which is less than an eighth of a mile west of the site. During site assessment and investigation, 31 soil borings, nine monitoring wells, and one piezometer were completed between 1997 and 2004. Free product was observed in monitoring wells MW-1 and MW-2 between September 1998, and November 2002. Eighty-nine gallons of product/water was removed via hand bailing and petro-trap devices. In April, 2003, approximately 24 tons of soil was excavated from the site. Confirmation sampling in the area of excavation showed contaminated soils remaining in place which exceed NR 746 Table 1 and Table 2 values and present a threat from direct human contact.

To reduce copy costs, DNR has provided to the listed copy center only a portion of the most recent information materials. Additional and useful site information is contained in the case file at the regional office. Contact Mae Willkom to set up a time to be reserved for a file review.

Minimum Remedial Requirements

Remedial activities at this site will include excavation, field screening and confirmation sampling, two rounds of groundwater monitoring in select wells, and report preparation.

Conduct a “hot-spot” remedial excavation to remove the highly contaminated soils in the area of soil borings HA-4, HA-5, HA-8, RS-1, and confirmation samples S-1, S-2, S-3, and S-4. The excavation shall extend to a depth of four feet bgs to remove contaminated soils which exceed NR 746 Table 1 and Table 2 values and present a threat from direct human contact. A small pump house building, reportedly used for storage, is directly adjacent to highly contaminated soils. The winning bidder shall consult with the responsible party prior to excavation to clarify his options for potential removal of the building or possible acceptance of land use controls at closure. Specifically, if post-excavation sidewall sampling directly adjacent to the building continues to show direct contact exceedances, it will be necessary to require land use controls at closure which consider the building a structural impediment and ensure additional investigation and possible additional remediation, if and when the building is removed.

Field screening shall be conducted to allow a representative number of appropriately-spaced confirmation sidewall samples to be taken in all areas of excavation and analyzed for PVOCs and naphthalene.

The excavation shall be backfilled and compacted in one-foot lifts or less with a clean, low-permeability backfill, similar to the shallow native silty clay soils.

For purposes of this bid, bidders shall assume the excavation and disposal of a total of 185 tons of soil. Bidders must include on page two of their bid response a per ton unit excavation and disposal cost (commodity cost only) to be used to adjust the cap in the event there is significantly more or less tonnage actually removed and disposed. The unit cost should include all commodity-related costs including additional soil sampling costs. In the event more soil is removed than anticipated by the bid amount, no additional consultant costs will be provided. Failure to provide a contingency unit cost will result in a non-compliant bid.

Two quarterly rounds of post-excavation monitoring shall be conducted in monitoring wells MW-1, MW-2, MW-4, and MW-6. Sampling parameters shall include PVOCs and naphthalene. If free product is observed, the product thickness should be measured and recorded, and the product collected, stored and disposed of appropriately. Groundwater sampling must begin within 30 calendar days of excavation.

Any waste generated as a result of this work shall be disposed of appropriately. Waste disposal costs for each activity must be included in the bid amount.

No later than 30 days after receipt of the laboratory analytical reports for the second round of groundwater monitoring, submit a brief letter report detailing all site activities to date (i.e. excavation activities and groundwater sampling results, including but not limited to summary groundwater result tables, etc.) to both the DNR and Commerce. If closure is appropriate, a recommendation for closure should be provided in the report.

If DNR agrees with this recommendation, a separate closure request (consistent with the requirements of ch. NR 726, Wis. Adm. Code) should be submitted. Consequently, bidders should include all closure-related costs (including final well abandonment costs) in their bid total. On page two of the bid response, provide a separate line item that provides the amount of the total bid cost that is associated with the closure-related costs. If closure is not available following the two rounds of monitoring, then the cost cap established by this bid will be modified downward by the amount of the closure-related costs.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 2nd Page of the Bid Response. If a completed 2nd page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Olson Oil Co Bulk Plant

COMMERCE #: 54639-8601-24

BRRTS #: 02-63-169711

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Olson Oil Co Bulk Plant

COMMERCE #: 54639-8601-24

BRRTS #: 02-63-169711

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Excavation, soil disposal, confirmation sampling	\$	
2	Groundwater monitoring	\$	
3	Report preparation	\$	
4	All closure related costs (including closure report preparation, monitoring well abandonment, GIS registry package, etc.)	\$	
5	Commodity contingency cost for soil excavation and disposal (including add'l soil sampling cost). Cost should be given in a per ton unit rate and not included in the total bid amount on line 7.	\$	
6	PECFA Claim Preparation	\$	
7	Total Bid Amount	\$	